



**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
MONTGOMERY COUNTY, MARYLAND**



**NOISE WAIVER CERTIFICATE**

**ISSUED TO:** Balfour Beatty Construction c/o Don Morris  
*Owner/Operator*

**Valid From:** 07/05/2022

**Valid To:** 08/04/2022

**Type of Waiver:** Temporary

**Authorizing:**

Nighttime milling and paving of the southbound lanes of Montgomery Ave. between Wisconsin Ave. and 400 feet east of Pearl St., Bethesda. Nighttime work is being required by the Maryland State Highway Administration (SHA) due to the need for multiple lane closures. Night work is designed to minimize disruptions to local business operations, and provide enhanced pedestrian safety and reduced traffic congestion, and shall be performed under the following conditions:

1. Designated work hours are 9:00 p.m. to 5:00 a.m.
2. All reasonable efforts should be made to perform the noisiest activities as early in evening as possible.
3. All machinery and trucks utilized at this job site for night work shall be outfitted with OSHA approved white noise back-up alarms or use other approved non-tonal signaling methods.
4. Machinery shall be inspected daily and equipped with proper noise attenuation measures to minimize construction noise, including, but not limited to well-maintained and effective mufflers. Moving parts shall be well lubricated to avoid unnecessary noise from squeaking parts. Machinery access doors and hatches should remain closed when the units are in operation and all machinery should be operated at the minimum level necessary to get the job done. Minimize banging, clattering, buzzing and other annoying types of noises.
5. Slamming of tailgates is prohibited.
6. All onsite staff, including delivery and dump truck drivers, should be notified of noise mitigation procedures prior to work.
7. On site communication shall be done without shouting.
8. Hauling trucks and machinery shall be operated at the minimum power level necessary to complete the task in a safe manner.
9. Prolonged idling of machinery and vehicles must be avoided. If machinery or vehicles are not utilized for long periods, they should be shut off to reduce idling noise.
10. Where possible, the local power grid should be used to reduce the use of internal combustion powered machinery.
11. Regular communications must be provided to nearby hotels and residences, so they are aware of the work schedule and expected noise related to construction activities.
12. Noise levels should be monitored at sensitive receptor locations and kept in a log on site, which shall be available for inspection and review upon request.
13. A log must be maintained on site containing detailed information concerning any complaints received regarding noise from this construction project.

14. DEP may suspend or revoke this approval for any violation of the terms and conditions, and may make modifications to the terms and conditions based on the results of noise monitoring or the noise impact of certain activities.
15. A copy of this Temporary Noise Waiver must be available at the work site. (Case 20221537)

**(This certificate must be available at the work site)**

**Location of Work:** Montgomery Ave. from Wisconsin Ave. to Pearl St.

**Town:** Bethesda **Zip:** 20814

**Approved By:**  **Date:** 06/27/22  
Department of Environmental Protection

Cc:

MC Police, 2nd District, Bethesda Station  
Stan Edwards, MC DEP  
Peter Fosselman, BCC Regional Services Center  
Thomas Dant, Bethesda Urban Services Manager

---

INFORMATION CONCERNING THIS CERTIFICATE CAN BE OBTAINED FROM  
THE DIVISION OF ENVIRONMENTAL POLICY AND COMPLIANCE  
MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
255 ROCKVILLE PIKE, SUITE 120, ROCKVILLE, MARYLAND 20850  
(240) 777-7746

<https://www.montgomerycountymd.gov/DEP/contact/noise-documents.html#wavers>